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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,089	03/26/2004	Deborah Lewandowski Barclay	15-73-13-13-12	9740

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Lucent Technologies Inc.
Docket Administrator - Room 3J-219
101 Crawfords Corner Road
Holmdel, NJ 07733-3030

EXAMINER

ANWAH, OLISA

ART UNIT	PAPER NUMBER
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2614

MAIL DATE	DELIVERY MODE
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10/30/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/811,089	Applicant(s) BARCLAY ET AL.	
	Examiner Olisa Anwah	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>11/14/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-4 and 6-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Wright, U.S. Patent No. 7,042,985 (hereinafter Wright).

Regarding claim 1, Wright discloses a method for routing an emergency call from a voice over internet protocol (VoIP) phone to a Public Safety Answering Point (PSAP), the method comprising:

receiving (see step 302 from Figure 3) an emergency call request from a VoIP phone (see unit 102 from Figure 1) at a VoIP service provider;

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determining (see step 312 from Figure 3) a PSAP (see unit 112 from Figure 1) associated with the location of the VoIP phone; and

routing (see step 314 from Figure 3) the emergency call request to the PSAP associated with the location of the VoIP phone.

Regarding claim 2, see column 1.

Regarding claim 3, see column 1.

Regarding claim 4, see column 3.

Regarding claim 6, see Figure 3.

Regarding claim 7, see Figure 4.

Regarding claim 8, Wright discloses a method for identifying a Public Safety Answering Point (PSAP) for a voice over internet protocol (VoIP) phone, the method comprising:

determining (see unit 312 from Figure 1) a location associated with the VoIP phone (see unit 102 from Figure 1); and

determining (see unit 312 from Figure 1) a preferred PSAP (see unit 112 from Figure 1) for the VoIP phone.

Regarding claim 9, see column 4.

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Regarding claim 10, Wright discloses a method for registering a VoIP phone for emergency service, the method comprising the steps of:

receiving a request (see step 402 from Figure 4) for VoIP service from a VoIP phone (see unit 102 from Figure 1);

storing (see step 404 from Figure 4) an identifier for the VoIP phone;

determining (see step 408 from Figure 4) an address for the VoIP phone; and

determining (see step 408 from Figure 4) a PSAP (see unit 112 from Figure 1) for the address utilizing the address for the VoIP phone.

Regarding claim 11, see column 7.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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4. Claims 5 and 12 are rejected under 35 U.S.C § 103(a) as being unpatentable over Wright.

As per claim 5, although Wright discloses the step of associating the VoIP phone with an address comprises associating a number with the customer premises address (see column 3), Wright fails to mention the number is a Digital Subscriber Line number. "Official Notice" is taken that this limitation is both old and well known in the art. And so, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wright wherein the number is a Digital Subscriber Line number. This modification would have improved the system's flexibility by employing different kinds of networks as suggested by Wright (see column 3):

As per claim 12, although Wright discloses the step of storing an identifier for the VoIP phone comprises storing a number of the VoIP phone (see column 7), Wright fails to mention the number is a Digital Subscriber Line number. "Official Notice" is taken that this limitation is both old and well known in the art. And so, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wright wherein the number is a Digital Subscriber Line number. This modification would have improved the system's

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flexibility by employing different kinds of networks as suggested by Wright (see column 3).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

OA
Olisa Anwah
Patent Examiner
October 26, 2007

Olisa Anwah